

1 ALEX G. TSE (CABN 152348)
United States Attorney

2 BARBARA J. VALLIERE (DCBN 439353)
3 Chief, Criminal Division

4 ANDREW F. DAWSON (CABN 264421)
Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
6 San Francisco, California 94102-3495
7 Telephone: (415) 436-7019
8 FAX: (415) 436-7234
Andrew.Dawson@usdoj.gov

9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,)	CASE NO. 18-MJ-70219 MAG
)	
14 Plaintiff,)	
)	STIPULATION AND PROPOSED ORDER
15 v.)	CONTINUING PRELIMINARY HEARING AND
)	EXTENDING TIME UNDER RULE 5.1
16 JAMIE TABATABAI,)	
)	
17 Defendant.)	
)	

18
19 The United States of America, through Andrew F. Dawson, Assistant United States Attorney,
20 and the defendant, Jamie Tabatabai, through his counsel, hereby stipulate to continue the preliminary
21 hearing in this matter from August 31, 2018 to October 31, 2018 at 9:30 a.m. before the Duty
22 Magistrate. The defendant agrees that good cause exists to extend the time limits of Rule 5.1(c) to
23 October 31, 2018.

24 The parties agree that good cause exists, taking into account the public interest in the prompt
25 disposition of criminal cases, to extend the time for the preliminary hearing October 31, 2018. The
26 parties have been discussing a resolution of this matter and are hopeful that such a resolution might be
27 reached without burdening Court with further proceedings after indictment. The government has
28

1 produced a substantial quantity of discovery to the defendant, including linesheets and recordings
2 associated with multiple federally authorized wiretaps. Defense counsel is reviewing discovery in order
3 to inform ongoing settlement discussions. The parties further note that the defendant has been released
4 on bond.

5 The parties also agree that an exclusion of time is appropriate under the Speedy Trial Act
6 between August 31, 2018 and October 31, 2018 for purposes of the effective preparation of counsel, and
7 to permit counsel to conduct an investigation and consult with the defendant. In addition, the defendant
8 agrees to exclude for this period of time any time limits applicable under 18 U.S.C. § 3161. The parties
9 also agree that the ends of justice served by granting such a continuance outweigh the best interests of
10 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

11 Respectfully submitted,

12 ALEX G. TSE
13 United States Attorney

14 Dated: August 14, 2018

15 /s/
ANDREW F. DAWSON
Assistant United States Attorney

16 Dated: August 14, 2018

17 /s/
GIL EISENBERG
Attorney for JAMIE TABATABAI

1 **~~[PROPOSED]~~ ORDER**

2 Based upon the representation of counsel and for good cause shown, the Court finds that good
3 cause exists, taking into account the public interest in the prompt disposition of criminal cases, for
4 extending time under Rule 5.1 and continuing the preliminary hearing from August 31, 2018, to October
5 31, 2018.


6 Therefore, IT IS HEREBY ORDERED that:

7 (1) The preliminary hearing or arraignment date is continued to October 31, 2018, at 9:30
8 a.m. before the Duty Magistrate;

9 (2) Good cause exists to extend the time for the preliminary hearing under Rule 5.1 to
10 August 31, 2018; and

11 (3) The time until August 31, 2018 shall be excluded from computation of any time limits
12 under the Speedy Trial Act and 18 U.S.C. § 3161.

13
14
15
16
17 DATED: 8/16/18


HON. KANDIS A. WESTMORE
United States Magistrate Judge